BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Request of)

DONG TRUONG PHU

DOCKET NO. 2008-0056

For Voluntary Surrender of Certificate or Permit

ORDER TERMINATING CERTIFICATE NO. 1694-C

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DIV. OF CENSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATFOF ANAMA

PUBLIC UTILLITIES

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Docket No. 2008-0056

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Certificate or Permit

)

ORDER TERMINATING CERTIFICATE NO. 1694-C

By this Order, the commission terminates certificate of public convenience and necessity no. 1694-C ("Certificate No. 1694-C"), held by DONG TRUONG PHU ("Petitioner"), effective from the date of this Order.

I,.

Request to Surrender Common Carrier Authority

On March 27, 2008, Petitioner filed a letter requesting commission approval to voluntarily surrender his authority under Certificate No. 1694-C. Under Certificate No. 1694-C, Petitioner is authorized to transport passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification, limited to limousines.

II.

Findings and Conclusions

In accordance with Hawaii Revised Statutes ("HRS") § 271-19, operating authority under a certificate of public convenience and necessity may be terminated upon application of

the holder. The commission finds good cause to grant Petitioner's request to terminate his authority.1

III.

Orders

THE COMMISSION ORDERS:

- 1. Petitioner's authority to transport passengers under Certificate No. 1694-C is terminated, effective from the date of this Order.
- 2. Petitioner shall remove any markings from the vehicles used in his operations. Petitioner shall comply with the foregoing requirement within fifteen (15) days from the date of this Order.
- 3. If Petitioner fails to comply with the foregoing requirement within the time period specified, he may be subject to penalties pursuant to HRS § 271-27.
- 4. This docket is closed unless otherwise ordered by the commission.

¹At the same time, we note that Petitioner has not filed his 2008 AFR and applicable fee for the period from January 1, 2008 to March 27, 2008 (the date that Petitioner's request was filed) pursuant to our written requests of April 24, 2008 and June 4, 2008. Thus, should Petitioner in the future request authority to operate as a motor carrier, he will need to first, if he has not yet done so, satisfy this matter before his application is reviewed by the commission.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

John E. Cole, Commissioner

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel

2008-0056.ps

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
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